

REMARKS

This amendment is supplemental to the Amendment in Response to Final Office Action filed on February 3, 2010. However, in view of the fact that applicants have received no indication as to whether or not the February 3, 2010 Amendment has been entered, the changes to the claims are shown above based on the condition of the claims *before* the filing of the February 3, 2010 Amendment, as suggested by the Examiner in a telephone discussion relating to this issue on February 22, 2010.

Claims 4-6, 10-12, 16-18 and 22-24 are pending in the application. Claims 1, 3, 7, 9, 13, 15, 19 and 21 have been cancelled without prejudice. Claims 4, 10, 16, and 22 are the only independent claims and have been amended. Favorable reconsideration is respectfully requested.

Applicants thank the Examiner for providing an initialed copy of the SB/08 citing the Chinese reference CN-1238875-A.

Applicants again request that the SB/08 forms submitted with the Information Disclosure Statements of April 28, 2009 and August 13, 2009 also be initialed and returned. In both of those cases, the Information Disclosure Statement included an English translation of the portions of the foreign Office Action including comments relating to the relevance of the cited art. In view of the above, it is believed that the requirements for consideration of those references have been met. It is requested that an initialed copy of each SB/08 form be included with the next Office Action.

Applicants also wish to point out again that the Asgarinejad reference (U.S. Patent Publication No. 2005/0003330), previously relied upon by the Examiner in a rejection, does not appear to have been made of record in this case. Applicants request that Asgarinejad be officially cited in the next Office Action on a form PTO-892 so that it will appear of the face of any patent issuing from this case.

In the final Office Action, claims 1, 3, 7, 9, 13, 15, 19 and 21 were rejected under 35 U.S.C. 103(a) over Kenji (Japanese Publication Number 2002-049711) in view of Bais et al.

(United States Patent Publication Number 2003/0210683) and further in view of Notomi (U.S. Patent Publication 2003/0203347). Claims 4-6, 10-12, 16-18 and 22-24 were rejected under 35 U.S.C. 103(a) over Kenji in view of Bais et al. and Notomi and further in view of Ushiki (European Patent Application Publication Number 1355473). The cancellation of claims 1, 3, 7, 9, 13, 15, 19 and 21 renders their rejections moot. Applicants submit that the amended independent claims are patentable over the cited art for at least the following reasons.

Independent claim 4 relates to a network system that includes: an information terminal connectable to a network; a distribution server for distributing video and/or audio data to the information terminal through the network while the information terminal is connected to the network; a storage server for storing a message of video and/or image contents, alone or along with audio contents, sent from the information terminal to the network in response to the video and/or audio data that has been distributed to the information terminal from the distribution server while the information terminal is connected to the network, and for facilitating a display of the message video and/or image contents on a display at a predetermined time; and an authentication server for authenticating the information terminal when the information terminal requests a start of distribution of the data, using at least one of a time at which the information terminal requests the start of distribution of the data and an identification number of the information terminal. A call processing server performs a call processing process for connecting the information terminal to the network if the authentication server authenticates the information terminal successfully.

The authentication is successful if the call processing server confirms: (1) the time at which the information terminal requests the start of distribution is in agreement with a range of a pre-registered effective connection time zone; and (2) the identification number of the information terminal is in agreement with a pre-registered identification number. A gateway device sends the message from the information terminal through the network to the storage server after the gateway device has detected a signal representing a start of transmission of the message sent from the information terminal until the gateway device detects a signal representing an end of transmission of the message sent from the information terminal. The storage server has receiving means for receiving the message sent from the gateway device through the network, and storing means for

storing the message received by the receiving means. The signal representing the start of transmission and the signal representing the end of transmission comprise push button audio tones from the information terminal, and the distribution server is configured to receive simultaneous video and audio data from plural cameras, the cameras being controllable by receipt of push button audio tones from the information terminal.

As amended, claim 4 recites, *inter alia*, that the authentication is successful if the call processing server confirms: (1) the time at which the information terminal requests the start of distribution is in agreement with a range of a pre-registered effective connection time zone; and (2) the identification number of the information terminal is in agreement with a pre-registered identification number. Claim 4 has also been amended to recite that the distribution server is configured to receive simultaneous video and audio data from plural cameras, the cameras being controlled based on push button audio tones received from the information terminal.

In a February 16, 2010 Examiner-initiated telephone interview with applicants' undersigned representative, the Examiner stated that amending the independent claims to include the limitations discussed in the immediately preceding paragraph would move the case towards allowance, subject to any additional search results. In any event, applicants have found no teaching or suggestion of the recited features of amended claim 4 in the art of record. Thus, claim 4 is believed in condition for allowance.

Amended independent claims 10, 16 and 22 recite similar features and are believed patentable for substantially similar reasons. The other claims depend from one or another of the independent claims discussed above and are therefore allowable for at least the reasons discussed above.

In view of the above, Applicants believes the pending application is in condition for allowance and request entry of this paper.

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